IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11136 of 2008

DHARMESH KUMAR
S/o- Sidyanand Singh
R/o- Village Bank (Bawak)
P.S.- Punpun,
District - Patna

Versus

1. STATE OF BIHAR
2. Rupam Devi
W/o-Dharmesh Kumar
D/o- Sri Chitranjan Singh
R/o- Fathepur,
P.S.- Dhanarua,
District – Patna

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6. 18.11.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case for the offences registered under Section 498 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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It is submitted on behalf of the petitioner that although the marriage took place on 5th of February 2007. However, the father of the petitioner has lodged a case of kidnapping as contained in Annexure-2. Thereafter, on 19th of February 2007, the present complaint has been lodged at the behest of the relative of the petitioner. It is further submitted referring to the medical prescription as contained in Annexure-2 series annexed to the supplementary affidavit filed on behalf of the petitioner that it would appear that the petitioner is suffering from mental deceased since long and as such, he is not in a position to marry the complainant in a state of

soundness. He further submits that despite service of notice, opposite party no.2 has not appeared.

Considering the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner named above be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Magistrate, Patna in connection with in connection with Complaint Case No. 39(C) 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Jagdish **(Shailesh Kumar Sinha,J)**